

REMARKS

Applicants reply to the Office Action dated March 12, 2009 within the three month statutory period for reply. Claims 17-23 were pending in the application and the Examiner rejects claims 17-23. Support for the amendments may be found in the originally-filed specification, claims, and figures. No new matter has been introduced by these amendments. Reconsideration of this application is respectfully requested.

The Examiner rejects claim 17 as directed to non-statutory subject matter, specifically, alleging that claim 17 does not recite a structure. Claims 18 to 21 are rejected based on their dependency on claim 17. Applicants respectfully disagree, but Applicants amend the claims to expedite prosecution and to further clarify the patentable features. Applicants further note that amended claim 17 is directed to an apparatus, and not a process. In particular, amended claim 17 recites: "A television comprising: a current-ON timer, the current-ON timer having a transistor". As such, amended claim 17 recites structure that is a current-ON timer containing a transistor as a component. Amended Claim 17 further recites: "the current-ON timer is configured to record information indicating whether the total current-ON time of the television has exceeded the predetermined lifetime of the transistor, for estimating a lifetime of the television," which further defines the configuration of the transistor that is a component of the current-ON timer. In view of the discussion above, Applicants assert that the amended claims recite structure and comply with the statutory subject matter requirement. Therefore, Applicants respectfully request that the Examiner's written description rejections should be withdrawn.

The Examiner rejects Claims 17-23 as being obvious over previously cited St. John (US 2001/0056349 A1), further in view of newly cited Haines et al. (US 6,295,423). Applicants respectfully disagree, but Applicants amend the claims to expedite prosecution and to clarify the patentable features.

Applicants note that St. John is related to the general field of voice pattern recognition through signal processing and not to estimating the lifetime of a television. In the Office Action, the Examiner refers to: (1) device 3762-2 and device 3762-1 in St. John, paragraph [0389], for disclosure of a "television device" comprising a "recording device means"; (2) bio-monitor 1430 and transistors Q1-3 in St. John, paragraphs [0238-0241] for disclosure of the element "when a

power is supplied to the television, the transistor is in an ON state”; (3) St. John, paragraph [0173] for disclosure of “the recording device means is configured to record information indicating a total time that the transistor is in the ON state”; and (4) Haines et. al, abstract and summary of invention, for disclosure of “estimating a lifetime of the television device”.

In contrast to St. John and Haines et al., amended claims 17 and 22 recite the “current-ON timer . . . configured to record information indicating whether the total current-ON time of the television has exceeded the predetermined lifetime of the transistor, for estimating a lifetime of the television.” St. John does not disclose or contemplate an apparatus functioning as a timer of a television's total current-ON time. Support for “indicating whether the total current-ON time of the television has exceeded the predetermined lifetime of the transistor” can be found, for example, at page 23, line 10-24 of the originally filed specification. Claims 18-23 are amended similarly for consistency in claim language. Support for the recitation “current-ON timer” can be found, for example, in the originally filed specification at Fig. 4; page 18, line 25-33; and page 22, line 7-12.

The Examiner rejects Claim 17 and 22 as being disclosed by St. John in every feature, except estimating a lifetime of the television device, which is allegedly disclosed in Haines et. al. However, Haines et al. relates to the field of “generating notifications associated with the lifetime of peripheral unit consumables”. Haines et al. does not disclose or contemplate using an apparatus functioning as a timer of a television's total current-ON time for estimating the lifetime of a television. Since neither Haines et al. nor St. John disclose or contemplate a timer of a television's total current-ON time, they cannot be combined to teach or suggest the claimed invention, which relates to a television having a current-ON timer for estimating the lifetime of the television.

Additionally, each of the above disclosed elements referred to by the Examiner can not correspond to the claimed invention. The above (1), (2), (3) and (4) are not described in St. John and Haines et. al as related to each other in a way that (1), (2) and (3) of St. John may be combined, and then be further combined with Haines et. al to arrive at the claimed invention.

Regarding device 3762-2 and device 3762-1, the disclosure in paragraph [0389] of St. John relates to a television subscription system. A VCR does not correspond to the claimed

current-ON timer. Amended Claim 17 recites “a television comprising a current-ON timer”, however, the VCR (device 3762-1) disclosed in St. John is a separate structure which is connected to the television (device 3762-2), and not a component of the television (Fig. 37C). Also, the function of a VCR is well-known, which is for recording the activity of a television, while the presently claimed invention relates to recording information for estimating a lifetime of a television. Therefore, St. John does not disclose or teach the “current-ON timer” of amended claim 17.

Regarding bio-monitor 1430 and transistors Q1-Q3, Applicants assert that paragraphs [0238]-[0241] of St. John are a description of an entirely unrelated embodiment from the television subscription system embodiment as discussed above. The transistors Q1-Q3 described here are of a bio-monitor 1430, bearing no connection to the VCR (device 3762-1) or the television (device 3762-2) in the television subscription system. Specifically, transistors Q1-Q3 in the bio-monitor 1430 disclosed in paragraphs [0238]-[0241] is not a transistor in the VCR (device 3762-1) disclosed in paragraph [0389]. Further, the bio-monitor 1430 is powered by a three-volt battery source (Pg. 18, right col. line 4-5), and so it is not powered by the power to the television (device 3762-2). Therefore, St. John does not disclose or contemplate that the transistor of the current-ON timer is in an ON state when a power is supplied to the television device.

Regarding St. John’s disclosure, paragraph [0173] which states “the recording device means is configured to record information indicating a total time that the transistor is in the ON state”, Applicants assert that St. John’s disclosure is directed to processing speech audio signals for patterns and changes in their characteristic. In contrast, amended claims 17 and 22 recite “the current-ON timer . . . configured to record information indicating whether the total current-ON time of the television has exceeded the predetermined lifetime of the transistor”, which specifies the relationship between the total operating time of a television and a predetermined lifetime of a transistor.

Further, St. John paragraph [0173] discloses “the total time that nulls exist during a word period to the overall time of the word period are all indicative of the emotional state of the individual” (Pg. 11, left col. line 28-32), which relates to a method of signal processing of speech

utterance that is indicative of a person's emotional state, and does not record the same information. However, processing of nulls in a speech as disclosed in St. John is not indicative of the relationship between the total operating time of a television and a predetermined lifetime of a transistor. Therefore, St. John does not disclose or contemplate the configuration of the current-ON timer of amended claims 17 and 22.

Regarding estimating of the lifetime of a television, the Examiner relies on secondary reference Haines et al., which discloses a lifetime monitoring mechanism which monitors the lifetime of a peripheral unit consumable (Abstract, line 2; col. 2, line 20-28). A peripheral unit consumable is one consumable component used in a peripheral unit (col. 1, line 21-26). Peripheral units may be printers (col. 1, line 24-25). Peripheral unit consumables may be toner, fuser, ink cartridges, media, etc. (col. 2, line 20-22 and 27-30). In accordance with the definitions of Haines et al., the "television" of amended claim 17 corresponds to the peripheral unit, such as a printer, and not to a peripheral unit consumable as defined in Haines et al. Therefore, Haines et al. does not disclose or contemplate estimating a lifetime of a television as recited in amended claim 17, nor does Haines et al. disclose or contemplate using a current-ON timer for estimating lifetime of a television.

In other words, St. John and Haines et al. do not disclose how (1) a television (device 3762-2) and a VCR (device 3762-1) in St. John, paragraph [0389], (2) a bio-monitor 1430 and transistors Q1-3 in St. John, paragraphs [0238-0241], (3) processing the nulls in a speech to indicate the emotional state of an individual disclosed in St. John, paragraph [0173], and (4) estimating a lifetime of peripheral unit consumables of Haines et. al could be combined, or suggest that (1)-(4) can be combined to arrive at an apparatus that may be close to the claimed invention.

Amended claims 17-23 recite an apparatus and method for estimating the lifetime of a television. The claims, as amended, provide for a television containing a current-ON timer, which records information for estimating the lifetime of the television based on information recorded by a current-ON timer that is a component of the television. St. John and Haines et al. do not provide for estimating a lifetime of a television by a current-ON timer. As such, the presently claimed invention has a technical advantage over St. John and Haines et al.

Claims 18-21 and 23 variously depend from independent claims 17 and 22, so claims 18-21 and 23 are differentiated from the cited references for the same reasons as set forth above, in addition to their own respective features.

In view of the above remarks and amendments, Applicants respectfully submit that all pending claims properly set forth that which Applicants regard as their invention and are allowable over the cited references. Accordingly, Applicants respectfully request allowance of the pending claims. The Examiner is invited to telephone the undersigned at the Examiner's convenience, if that would help further prosecution of the subject application. The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. **19-2814**.

Respectfully submitted,

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